The University of Santa Clara

College of Law

1957-1959

"To mould men after the model of the Man-God, and thus form them to serve their fellowmen, their country and their God; this is the ideal and the purpose of The University of Santa Clara."

COLLEGE OF LAW

Bergin Hall

UNIVERSITY OF SANTA CLARA

SANTA CLARA, CALIFORNIA

COLLEGE OF LAW

ADMINISTRATIVE OFFICERS

Herman John Hauck, S.J. ..... President of The University

Alexis I. Mei, S.J. ..... Academic Vice-President of The University

Warren Peter McKenney, A.B., LL.B. ..... Dean of The College

Thomas J. Flynn, S.J. ..... Chaplain of The College

Joseph L. Standifer, A.B., LL.B. ..... Librarian of The Law Library

David Paul Arata, B.S. ..... Registrar of The University

FACULTY

WARREN P. McKENNEY, Dean, Professor
A.B., Brown University, 1935; LL.B., Fordham University, 1940.

HON. EDWIN J. OWENS, Professor
A.B., Holy Cross College, 1919; LL.B., Harvard University, 1922; LL.D., University of Santa Clara, 1952.

ROBERT E HAYES, Associate Professor
A.B., Holy Cross College, 1926; LL.B. Boston College, 1933.

AUSTEN D. WARBURTON, Associate Professor
A.B., San Jose State College, 1938; LL.B., University of Santa Clara, 1941.

JOHN C. GALVIN, Assistant Professor
A.B., University of Tennessee, 1947; LL.B., St. Mary's University, 1953; LL.M., New York University, 1956.

JOSEPH L. STANDIFER, JR., Assistant Professor, Law Librarian
A.B., Seattle University; LL.B., University of Santa Clara, 1952.

GEORGE A. STRONG, Assistant Professor
B.S., University of Notre Dame, 1944; M.A., University of California, 1952; LL.B., University of Santa Clara, 1955

ROBERT A. VATUONE, Assistant Dean, Assistant Professor
B.S., University of Santa Clara, 1951; LL.B., University of Santa Clara, 1953.

WILLIAM G. SAUERS, Lecturer in Law
A.B., Fresno State College, 1949.
LL.B., University of Stanford, 1952.

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PART I
GENERAL INFORMATION

University of Santa Clara, "Moulder of Men" after the model of the Man God for over one hundred years, is located in the heart of the Santa Clara Valley adjacent to the major city of San Jose. Santa Clara, the University city, lies 47 miles south of cosmopolitan San Francisco and 55 miles north of picturesque Monterey Bay and Carmel-by-the-Sea. Fifteen miles to the west, over the Redwood Costal Range, are the beaches of the Pacific; to the east, within easy driving distance, lie the High Sierras and famous Yosemite Valley, mecca for winter sports.

The University itself is centered on the site of the revered Mission Santa Clara de Asis, first established in 1777, whose restored Mission Church is visited annually by thousands of Californians and distant travellers. Founded here by Jesuit scholars from Europe in 1851, the University derives from this hallowed site a tradition and atmosphere unique among American Colleges.

Historic events and persons have enriched the years of Santa Clara's growth and, amid the modern buildings of Spanish architectural design, set within the beautiful Mission gardens, these find fitting remembrance in monuments and memorials. A granite obelisk near the Varsi Iibrary marks the spot where John J. Montgomery, a Santa Clara instructor, began his ascent in the first heavier-than-air-machine, 10 years before the Wright Brothers' flight at Kitty Hawk.

Beside the University Infirmary stands Ricard Observatory, where through forty years Father Ricard, proposer of the "Sun-Spot Theory," made his computations in meteorology and seismology. For the remarkable accuracy of his weather forecasts, Father Ricard was to become known as "The Padre of the Rains."

Housed in the Museum collections are the Alaskan records which mark the nationally know work of the Arctic explorer and lecturer, Father Bernard Hubbard, "The Glacier Priest."

On through the years, as it grew into the four colleges of Arts and Sciences, Business Administration, Engineering, and Law, the University of Santa Clara continued to produce the men inculcated with Christian ideals who have given America its senators, its judges, its industrialists and its educators—men educated in the principles which have made America strong.

COLLEGE OF LAW

The College of Law was organized in 1911 and originally was conducted as an evening school. In 1929 the evening school was abandoned and the Law College became a full-time school with classes held only in the forenoon and afternoon.

All law classes are held in Bergin Hall which is reserved exclusively to the College of Law. Bergin Hall is the result of a generous gift made by Thomas L. Bergin who graduated from the University in 1857, and who later achieved prominence in the practice of law in San Francisco.

Bergin Hall was completed and first occupied in 1939 and is one of the most modern and complete law school buildings to be found anywhere throughout the country. It contains four splendidly equipped classrooms, a beautiful finished court room, an excellently appointed library, five private faculty offices, a seminar room, Student Bar Offices, lounge room and lockers.

The College of Law is on the approved list of law schools of the American Bar Association and is a member of the Association of American Law Schools. The College is accredited by the Committee of Bar Examiners of the State of California and by the Board of Regents of the University of the State of New York. Graduates are eligible to take the bar examination in all jurisdictions of the United States, as well as the Territory of Hawaii.

The College of Law is co educational.

EDUCATIONAL POLICY, PURPOSE AND SCOPE

As an integral part of a Jesuit University, the College of Law aims at developing lawyers who are competent and ethical. To this end, a three year full-time curriculum is offered which is directed to a study of the processes by which the courts and other judicial bodies decide our controversies, and a study of the legal rules and principles which guide them. As observed by many legal educators, "Law is not so much a body of rules as it is a process of reasoning."

To this general purpose the College of Law specifically aims at developing: First, a thorough training in the fundamental processes, principles and reasonings of English and American Law, with the foremost modifications peculiar to the State of California; Second, to guide the student towards the actual practice of the law and passage of the State Bar Examinations; Finally, to carry the student's high moral principles into the professions of law by a conscious emphasis on the great contribution the lawyer can make to society.

The general method of instruction followed is the Case System, however, study-syllabi are prepared by the professors which give direction, emphasis and basic analysis to the student in the preparation of his own note material. "To Challenge," yet "To Guide" is the underlying philosophy of the College of Law.

It is the conviction of those who are charged with the administration of the College of Law that the most effective teaching frequently is not teaching at all in any formal sense; nor is the intellect developed or moral character increased by the mere imparting of information in formal school sessions. With these convictions in mind, the College of Law has been definitely committed to the policy of being and remaining a small law school in which the greatest intimacy and contact may be maintained between teacher and student not only during formal sessions of class but constantly throughout the day. Each class room was built to accommodate not more than fifty students, thus insuring ample opportunity for all students to participate fully in class discussions. The faculty offices have been located but a few steps from the library and all of the full-time faculty members are required to hold themselves available for consultation with students throughout the day.

PRE-LEGAL EDUCATION

Beyond the requirements of entrance, no specific pre-legal course is demanded; however, since the emphasis in any legal education must continue to be upon the development of the ability to analyze and synthesize, and then to give clarity and conciseness to the expression of this ability, those undergraduate courses which advance this general development should be pursued. ANY subject may be taught and studied from an analytical point of view, including those of the fine arts, so that any sound program leading to an academic degree may be followed. Business Law is not a recommended pre-legal subject. Recommended subjects are English & American History, Governing Economics, Physchology, Philosophy, Logic, Accounting, Foreign Language, Mathematics and Natural Science.

Of great importance to the success of a student in law is the ability to express his learning in clear, concise terms. Having once analyzed a problem, the process is futile without the ability to express those thoughts in adequate written and oral English. It is, therefore, recommended that all pre-legal students avail themselves of three years of college English emphasizing expository and argumentative composition, both written and oral. Since all examinations in the College of Law and before the State Bar of California are written, this suggestion is most vital.

LAW LIBRARY

The Law Library, with its spacious reading and study rooms, is located in Bergin Hall. The Law Library is the laboratory of the law student.

The rapidly growing collection contains all the required materials of the Association of American Law Schools. The Library consists of care-

fully selected materials in the fields of Anglo-American Statutory, Decisional, Text Book and Periodical sources. Special fields of development have been in the Taxation and Medico-Legal Jurisprudence areas.

The Library has been developed as the working library for the staff and students of the College of Law, but in addition it also serves as a reference library for the members of the Santa Clara County Bar Association.

The collection is classified and catalogued by author, subject and title entry. The Librarian issues a monthly Library Bulletin to the faculty of the College of Law, and the members of the Santa Clara County Bar Association, reporting new additions in library literature, and library news of interest to faculty, students and lawyers.

MOOT COURT

It is the conviction of the Faculty of the Colloge of Law that law graduates are inadequately prepared to meet the problems of trial practice. In keeping with its policy of teaching the law students to put into actual practice the legal principles and theories learned in the classroom, the College of Law maintains a practice or moot court program. Actual cases, both civil and criminal are tried.

The Moderator of the practice court prepares the facts from authentic cases. The Moderator then assigns first year law students to act as witnesses and gives to them their testimony. The second year students then interview these witnesses for the purpose of preparing their case for trial. The pleadings and answers are prepared; the indictments and pleading thereto are presented. A judge from the Superior Court of the State of California presides. The jury is selected from volunteers in our neighboring undergraduate institutions.

The evidence is presented, the student attorneys conduct the examination, the cross-examination and closing arguments. The jury deliberates and a verdict is rendered. It is our sincere belief that such a program better prepares a student for the actual practice of the law.

Subsequent to the trial a critique is held by the Professor of Evidence. All of the students of the College of Law are required to attend the practice court sessions and the critique.

FRESHMAN MOOT COURT PROGRAM

Students in the first year of the College of Law are required to participate in a Freshman Moot Court Program, in conjunction with their course in Legal Bibliography and Research.

This program is under the supervision of the Moot Court Committee of the Student Bar Association. Freshman students prepare appellate briefs for arguments before the Court. The Court consisting of two second year students acting as Associate Justices and a third year student as Chief Justice. Individual citations are awarded to outstanding participants in this program.

THE LAWYERS' BRIEFING SERVICE

The College of Law conducts a legal research service for the lawyers of the State of California. The practicing attorneys are invited to submit a written request in which the attorney states the facts of the case and the particular point or points of law which he desires to be briefed. This service is available to lawyers who are situated in counties wherein limited library facilities are located. The research and briefing is accomplished by a senior law student, under the direct supervision of a full-time faculty member. There is no charge to those attorneys who wish to make use of this facility, it is offered as a public service to the legal profession.

ANNUAL SURVEY OF CALIFORNIA LAW

In 1947 the College of Law inaugurated the Annual Survey of California Law. This publication, a pioneer in its field, was instituted in lieu of a Law Review. The Survey is now in its Seventh Edition. The Survey is an expert analysis of the yearly decisions handed down by the Appellate and Supreme Courts of the State of California. The articles of the Survey are written by eminent scholars and outstanding attorneys in the various

fields of law. The initial reading of the Courts' decisions is done by the students, and all materials are prepared for the experts by them.

THE SANTA CLARA LAWYER

The student publication of the College of Law is the Santa Clara Lawyer, published four times during the academic school year.

This publication is sponsored jointly by the Student Bar Association and the University. It is sent to all the Alumni of the College of Law.

THE STUDENT BAR ASSOCIATION

The Student Bar Association is the student governing body of the College of Law. This organization includes all students in the College. Our Student Bar Association is a charter member of the American Law Students Association, which Association is sponsored by the American Bar Association. The purpose of the Association is to promote among the law students a consciousness of professional responsibility; to provide a medium for the promotion of student activities generally . The Student Bar Association is responsible for the delegation of tutors in the tutoring program. Through the efforts of the Student Bar Association a continuous program of Moot Court activities are promulgated through the school year.

TUTOR PROGRAM

Under the supervision of the Dean of the College of Law, outstanding second and third year students are selected to carry on a program of tutorship for incoming first year law students. This is a program in which the second and third year students contribute their time, energy and experiences, and in particular, their knowledge to the freshman law students. Upon arrival at the College of Law, the tutor selected contacts his group, consisting of not more than four freshmen. He advises them that he is available at all times for assistance in the study of law. He indicates to them the methods of approach and application. The tutor gives his group an examination, corrects the examinations, and advises his freshmen accordingly. The results are then presented to the full-time faculty member in charge, who then discusses the problems, if any, with the individual freshman law student.

Group seminars are held weekly, under the tutorage of the group leader.

This is a voluntary program, borne of the democratic nature of the College of Law.

ST. THOMAS MORE SOCIETY

The St. Thomas More Society was established at the College of Law during the school year, 1955-56. Its activities are primarily spiritual. Its membership is open to all students of the College of Law and those students of the University who are interested in the teaching and philosophy of St. Thomas More. Its members attend a quarterly Communion Breakfast on the campus of the University, where lectures are given by prominent catholic lawyers and members of the clergy concerning the application of christian philosophy to current legal problems.

HONORARY SOCIETY

Alpha Sigma Nu is a National Honor Society with chapters in various Jesuit Colleges and University throughout the United States. It is a society organized of honor students who have distinguished themselves in Scholarship, Service and Loyalty to their College or University.

ALUMNI ASSOCIATION

The purposes of this society are to promote the best interests of the Law School and to bring together as members those persons from among the alumni of the University interested in the welfare of the Law School; to promote cordial relationship and closer cooperation and to foster a spirit of loyalty and fraternity among its members, and between its members and the faculty of the Law School; to marshal the activities and influences of its members to the end that a law school of high standing may be maintained at the University; and to assist the Alumni Association of the University in effecting its purpose.

PART II

ADMISSION REQUIREMENTS AND PROCEDURE

1. General information for beginning students::

Admission to the College of Law is on a selective basis. The Committee on Admissions will consider carefully the qualifications of each application as to character, intellectual ability and professional promise.

The College of Law will consider for admission applicants presenting credits for at least three years of acceptable college work. The applicant must have earned not less than 90 college credits (semester hours) or 135 quarter units of academic credits which have been passed with a scholastic average at least equal to the average required for graduation in the institution attended. Courses without intellectual content of substantial value are not regarded as acceptable. All grades will be entered in the compilation, including failures received in courses which have been repeated and passed.

In addition to the scholastic requirements above, all entering students are required to take the Law School Admission Test, administered by the Educational Testing Service. Applicants intending to take the test may obtain detailed information by writing to the Office of the Dean, College of Law, University of Santa Clara.

First year students must also submit with their application at least two letters of recommendation, as to their character and integrity. Whenever possible, character references should include a member of the Bar.

2. Combined Program

Students in the College of Arts and Science or in the College of Business Administration of the University of Santa Clara, may enter into a course of study, the successful completion of which will enable them to apply credits from the first year of the College of Law towards the requirements for the appropriate Bachelor Degree. The combined program enables the student to obtain a college degree and a Bachelor of Laws degree in six years.

Those students who are interested in the combined program should consult with their respective Dean concerning the terms and conditions of the program.

3. Special Students

In exceptional cases a person 23 years of age or over, not meeting the foregoing scholastic requirements, but whose experience in business and whose private study has made up for his lack of college training, and whose maturity and seriousness fit him in the discretion of the Committee on Admissions for the study of law may be admitted on a probationary basis.

The admission of Special Students is not encouraged and the quota for such students is limited. The number of special students admitted each year shall not exceed 10% of the average number of regular students admitted by the school as beginning regular law students during the preceding two years.

A special student pursues the same course of study under the same discipline as a regular student and shall be entitled upon graduation to the degree of Bachelor of Laws.

4. Advanced Standing

Any person who has been in regular attendance for at least one academic year at another Law School, having similar admission require-

ments, and approved either by the American Bar Association or the Association of American Law Schools, may in the discretion of the Committee on Admissions, and on such terms as it may prescribe, receive credit for the work done at such other law school not exceeding, in any case, two years. The last year must be spent in residence in the College of Law.

5. Auditors

Members of the Bench or Bar may be enrolled as auditors in specific subjects in the fields of their professional interests. Such persons pay the prescribed auditor's fee, but take no examinations and receive no academic credit for the work completed.

6. Admisison Procedure

a) A student seeking admission to the College of Law should file an application with the Registrar of the University. The required application form may be obtained from the Registrar or the Office of the Dean. The application shall be accompanied by a service fee to the amount of $5.00.

b) It is necessary that all applicants take the Legal Aptitude Test. Information as to the time and place of the test may be secured by writing to the Office of the Dean, College of Law or the Office of the Registrar.

c) The application must be supported by official transcripts of the student's complete academic record at each institution previously attended. An applicant still pursuing his pre-legal studies should present transcripts of the work completed to date and the courses in which he is presently enrolled.

d) Upon notification that the application for admission has been approved, information will be forwarded as to the date of registration.

e) Upon notification of acceptance, it is necessary that a check or money order in the amount of $35.00 be forwarded to the Admissions Office of the University of Santa Clara. This fee will be used as a deposit on tuition.

f) The University exercises supervision over the health of students. A physician is in daily attendance at the University without extra charge for minor cases. A certificate of health from the home physician is required of each student at the time of registration.

In accordance with the recommendation of the State Board of Health all students must present a certificate of vaccination or be vaccinated by one of the University physicians.

PART III

TUITION AND FEES

Tuition and fees are payable in advance for the entire semester, and are subject to change without notice. Arrangements for deferred payments can be sanctioned only in particular cases and with the approval of the Dean of the College of Law and the President of the University. These arrangements must be completed at least one week before the date of registration. For this added service a processing fee of $1.00 per payment will be charged.

Remittances should be made payable to the "University of Santa Clara" and mailed to the Treasurer's Office.

Registration Fee	$ 5.00
Tuition per semester	300.00
Tuition per summer session (full-time)	150.00

Extraordinary Services

Tuition per credit hour (Auditor's fee or part-time summer session)	25.00
Students may register after the appointed registration days as specified below upon payment of a special fee:	
Until the end of the first week	$ 5.00
Afterwards	10.00
Late Submission of Admission Forms	2.00
Transcript Fees (each)	1.00
Retake or special examination fee — each examination	15.00
Graduation Fee	25.00

REFUNDS

There will be no refund of Extraordinary charges.

Refunds of Tuition and Fees. Students who withdraw from the University may receive refunds of this charge according to the following scale of withdrawal:

———within one week after registration: payment refunded minus....$ 50

———within two weeks after registration: payment refunded minus.... 90

———within two to four weeks after registration: payment refunded minus 150

For withdrawal after four weeks of classses there will be no refund of this charge.

PRIZES AND AWARDS

The Chargin Prize. An annual prize of $50 to be given in honor of Mr. and Mrs. Joseph A. Chargin, Sr., to the senior in the College of Law who has maintained the highest class average throughout his law course.

The Nathan Burkan Memorial Competition was established in 1938 by the American Society of Composers, Authors and Publishers, New York, N.Y., to perpetuate the memory of Nathan Burkan, founder and General Counsel for the Society until his death in 1936. The subject of the Competition shall be any phase of Copyright Law. A first prize of $150 and a second prize of $50 will be awarded for the two best papers submitted by third-year law students.

The Outstanding Law Graduate Award, presented to the graduating senior who best represents in his class, the type of student the University of Santa Clara Law School is most proud to graduate, by reason of his demonstrated qualities of scholarship, community leadership, and sense of moral responsibility.

The Community Leadership Awards, presented to the graduating seniors deemed most likely to discharge their obligation as members of the legal profession to serve and lead our society, by reason of outstanding qualities of community leadership and social consciousness demonstrated through their activities as students and members of the Student Bar Association.

The Student Bar Association, in cooperation with the following Law Book Companies presents sets of law books to the Outstanding Law graduate and to the recipients of the Community Leadership Award.

American Law Book Company
Bancroft-Whitney
Bender-Moss
Bureau of National Affairs, Inc.
Bobbs-Merrill Company
Callaghan & Company
Commerce Clearing House
Foundation Press, Inc.
Lawyers Book Exchange
Parker & Son
Prentice-Hall
Tax Club Press
The Annotated Reports System
Recorder Printing & Publishing Co.
West Publishing Co.
B. E. Witkin
Hon. Charles Gubser
Hon. Thomas Kuchel
Hon. William Knowland

LAW SCHOLARSHIPS

Law Scholarships are available for those students who give promise of outstanding careers as lawyers and public leaders. These scholarships are available for incoming students. In order to qualify for a scholarship consideration will be given both to need and scholastic achievements. The continuation of the scholarship depends on the maintenance by the recipient of superior achievement in the study of law. All applications shall be made through the office of the Dean.

LOAN FUND

The College of Law Loan Fund: This fund, provided by a bequest in 1948 from Mr. William C. Berg in honor of his parents, Mr. and Mrs. Herman E. Berg, is available at a law rate of interest for students of the College of Law. Application may be made through the Dean of the College of Law.

PART IV

ADMINISTRATION AND SUPERVISION

A. **Registration:**

Directions for registering are mailed to each applicant with his letter of acceptance.

B. **Attendance:**

Regular and punctual attendance at all classes is required. Records are computed from the first meeting of the class and not from the date of a student's entrance. It is within the discretion of each instructor when tardiness shall be regarded as an absence.

No student is allowed credit in any course for which he has not been present at least for 90% of the class hours, unless excused by the Dean. If the number of absences in any course exceeds one-fourth of the scheduled semester meetings, the student will be dropped automatically from the course regardless of the reason for such absence.

C. **Examinations:**

Written final examinations are required at the end of each semester in all courses. All written examinations are conducted under the number system, that is, the students remain anonymous to the grader. Additional examinations may be scheduled at the option of the faculty. If a student is unable to take an examination at the time scheduled, he will notify the office of the Dean in writing of such absence and the reason therefore. If the excuse is not acceptable, or if the student fails to give prompt notice, a grade of "F" will be recorded. The fee is $15.00 for all deferred examinations.

D. **Academic Standing**

Each student of the College of Law must maintain satisfactory acadamic standing as a pre-requisite to continued attendance in the College. The bases for determining academic standing are the results of the final written semester examinations.

E. **Grading:**

The grade earned in each course is recorded by alphabetical letter. The grade of "A" denotes outstanding scholarship; "B" superior work; "C" satisfactory work; "D" unsatisfactory work (sufficient only for residence credit); "F" failing work, insufficient for scholastic and residence requirements. A students academic rank is determined by his grade point average, which is ascertained by dividing the number of units of work completed into the number of grade points scored in accordance with the following norms.

A = 3
B = 2
C = 1
D = 0
F = —1

A candidate for a degree must gain not only the number of credit hours required in his college, but his work must reach a certain standard of excellence. In addition to the required number of credit hours necessary for graduation, each student must earn an equal number of credit points, or an average mark in all subjects of C or better.

For a grade of A in a given course a student will receive three times as many credit points as there are credit hours in the course; for a grade of B, twice as many credit points; for a grade of C, as many credit points as credit hours; while D gives credit hours but not points. For every failure at the end of the semester, one credit point per hour is to be deducted from the total number of credit points that could otherwise be gained. Such lost points may be made up by repeating the course.

PRELIMINARY APPLICATION FOR ADMISSION

TO

COLLEGE OF LAW

UNIVERSITY OF SANTA CLARA

Santa Clara, California

Name .....
Last First Middle

Home Address .....
Street and Number City State

School Address .....

Schools attended after high school (not Law). Name of school, location, and term or quarter hours of work completed:

.....

If you have attended any law school, give name of school, dates attended and reason for termination of attendance.

.....
Law School Dates Attended Reason for Termination

If known, what grade average did you make? (In Arts work and Law)

.....

When would you begin the study of Law if accepted?.....

.....
Date Signature

MAIL THIS PRELIMINARY APPLICATION TO:

OFFICE OF DEAN
COLLEGE OF LAW
UNIVERSITY OF SANTA CLARA
SANTA CLARA CALIFORNIA

F. **Scholarship:**

First year students who fail to attain an over-all "C" (1.00) average at the end of their first full year, may be required to withdraw from the College of Law.

No student will be permitted to register for the work of the third year unless he has attained an over-all "C" (1.00) average at the end of the first two years.

G. **Graduation Requirements:**

In order to graduate, the student must:

1. Have received credit for at least 86 units of law, exclusive of Survey of Ethics. (A "unit" is the equivalent of one hour per week for one semester.)

2. Have obtained in the work of his third academic year in law a general grade-point average of "C" with a weighted average of "C" for the work of the entire three years.

3. Have fulfilled the requirements of residence for three academic years in either this College of Law or some other approved law school, the last academic year of which, in any event, must have been spent in this College of Law.

4. All students in the College of Law will be expected to complete satisfactorily a course in General and Adopted Ethics such as is offered by the faculty of the College of Arts and Sciences. This requirement may be filled before entrance to the College of Law. Howver, students who have not fulfilled such requirements before entrance will be required to do so during their attendance in the College of Law by taking a course in Survey of Ethics. In such event, no additional fee will be charged for the course. In the event that this course is taken during residence at the College of Law the grade received will not be computed in the student's over-all grade point average.

The degree of Bachelor of Laws will be conferred on those students:

Who possess academic degrees before beginning the study of law and have satisfied the requirements set down in 1, 2, 3 and 4 above.

Who have completed three years of college work leading to an academic degree and have satisfied the requirements set down in 1, 2, 3 and 4 above.

Who have been special students and have satisfied the requirements set down in 1, 2, 3 and 4 above.

No student in the College of Law is permitted to take a State Examination for admission to the Bar before he has completed successfully the course of study prescribed by the College of Law for the LL.B. degree, and until such successful completion of the course has been certified to by the Dean of the College of Law. Immediate expulsion from the College of Law will follow any violation of this requirement.

H. **Discipline:**

Students must observe the general discipline regulations of the University of Santa Clara, as well as rules of the College of Law. The administration reserves the right to terminate or restrict the attendance of any sudent at any time, or to remove from the list of candidates for a degree the name of any student should it be in the interest of the University.

I. **Rights Reserved:**

The University and the College of Law reserves the right to advance the requirements for admission or graduation; modify the arrangements, contents or materials of courses; change tuition fees and any regulations affecting the student body. Such changes shall become effective whenever the administration shall determine and may operate retroactively.

SUMMER SESSION

Primarily, elective courses will be offered during the summer session. Instruction given in this session will be the same in nature and quality as that offered during the regular academic year. The faculty will consist of regular faculty members and visiting professors.

Courses taken in the summer session may be credited as units toward the degree, exclusive of the required courses, and the hours may be used to fulfill residence requirements.

For the summer session any applicant who submits proof of enrollment in good standing at a member school of the Association of American Law Schools may take courses for credit to be allowed by his parent school. The College of Law issues a separate bulletin for the summer session. Copies of the bulletin or information concerning the curriculum may be obtained by writing to the office of the Dean.

No student will be allowed to attend summer sessions unless he has completed one full academic year in good standing at this College of Law or at his parent Institution.

DESCRIPTION OF COURSES

FIRST YEAR:

101. Legal Bibliography. The study of the use of law books, including practical problems in the use of Reports, Statutes, Encyclopedias, Digests, Periodicals and Citations Books. 1 unit.

102. Contracts. The formation of contracts, offer and acceptance, the doctrine of consideration, assignments, joint contracts, joint and several contracts, conditions, third party beneficiary contracts, Statute of Frauds, excuses for non-performance, impossibility, mistake, illegality, damages for breach, remedies, recission, restitution, quasi-contracts. 6 units (3-3).

103. Torts. Liability and defenses in action for intentional injury to person and tangible property; liability based on negligence at common law and under statutory laws; proximate cause, survival and wrongful death, strict liability; nuisance; duties of owners and occupiers of land; tort and contract; misrepresentation; defamaaion; right of privacy; malicious prosecution and abuse of process. 7 units (4-3).

104. Property I. The elements and legal consequences of possession — finding — bailments — liens — adverse possession — acquisition or ownership of chattels: by taking possession, by judgment, by satisfaction of judgment, by accession, by confusion, by gift, by sale, by bona fide purchase. 3 units.

105. Property II. Conveyance at common law: prior to the statute of uses; after the statute of uses—conveyancing under modern statutes—execution of deeds, subject matter of deeds, delivery of deeds, boundaries, acretion, exceptions and reservations—creation of easements by implication. 3 units.

106. Crimes. Origin and sources of the criminal law. Substantative law of crimes and particular elements thereof. Comparative study of the criminal act with reference to various defenses thereto. 3 units.

107. Agency. Creation of the relation; rights and duties of principal and agent; rights and duties of third parties; liability of principal; liability of agents, non-disclosure of principal; ratification, termination of relation. 3 units.

108. Legal Method. A course designed to assist beginning law students in methods of study, preparation, recitation and examination. 1 unit.

109. Practice Court. Actual practice in the preparation and presentation of cases for trial. 1 unit (½ - ½) 31

110. Ethics. General principles of morality and their practical application to the chief spheres of human conduct, both individual and social. 3 units.

Second and Third Year Courses

201. Evidence. The law of evidence in civil and criminal trial under the common law and with particular reference to Federal and California Courts; preparing for trial, examination of jurors and witnesses, relevancy, competency, materiality; offer and objection, scientific evidence, methods of proof, circumstantial evidence, demonstrative evidence, documentary evidence, exceptions to the hearsay rule, burden of proof and presumptions. 6 units (3-3).

202. Corporations. The partnership and joint venture, the tests of distinguishing them from other business forms. The rights, powers and duties of partners and the dissolution and liquidation of the partnership. The corporate entity and its relation to the state, third parties, its directors and its shareholders. The powers and duties of promoters, directors and officers and stockholders deriviative actions 6 hours (3-3)

203. Wills and Estates. Intestate succession. Testamentary capacity, undue influence, fraud, and mistake. Execution of formal and holographic wills. Integration, incorporation by reference and non-testamentary acts. Revocation, including dependent relative revocation, and revival. Pretermitted heir and lapsed gifts. Ademption by satisfaction and by extinction. Advancements, increase and exoneration. Abatement of gifts. 3 units.

204. Property III. Possessory estates, concurrent estates, future estates, power of appointment, class gifts, rule against perpertuity, covenants for title, estoppel by deed, priorities. 3 units.

205. Property IV. Physical extent of property in land-support, water, nuisance, easements and profits, licenses, agreements running with the land in fee, agreements running with leasehold interest, waste, fixture. 3 units.

206. Trusts. The nature and creation of a trust; the express trust, charitable trust, spendthrift and, business trust, resulting and constructive trusts; problems of administration and termination. The rights and duties of the trustee, beneficiary and third parties. 3 units.

207. Community Property. The existence of the community; law of separate and community property, property rights between husband and wife; management, control and liability for debts; disillusion, transfer inter se. 3 units.

208. Federal Income Taxation. Federal Income Taxation of the individual corporation and partnership, including capital gains and losses, basis problems and tax-free exchanges. 6 units (3-3).

208a. Estate and Gift Taxation. Its problems and its procedures as well as income taxation of estates and trusts including the problems of attribution in assignments of income. 3 units.

209. Procedure I. Jurisdiction of California Courts; summons, statutes of limitations; trial procedure; dismissal or non-suit, client's verdict, verdict, judgment; motion for new trial, writs. 3 units.

210. Procedure II. Nature of the civil action under the code; parties, complaint, demurrer, answer; cross-complaint; reply; demurrers to pleadings subsequent to complaint. 3 units.

211. Negotiable Instruments. Factors of negotiability; negotiation, delivery, transfer and endorsement; the holder in due course; real and personal defenses; presentment; liability of parties; discharge. 3 units.

212. **Conflicts of Law.** Sources and development of private, interstate, and international law; the control exercised by the federal government and the limitations under the states of the Union; jurisdiction of courts and foreign judgments; the rules applied with respect to procedure, wrongs, contracts, property, business organizations and administration of estates; privileges and immunities of citizens and rights of aliens. 3 units.

213. **Constitutional Law.** The doctrine of judicial review. Reciprocal immunities of the federal and state governments. The delegated powers of the federal government and the reserved powers of the states. The delegated powers of the federal government as limitations uopn the exercise of state powers. The protection of individual rights as a limitation upon the exercise of federal and state powers. 6 units (3-3).

214. **Legal Ethics.** A complete study of the Canons of Ethics both of the State Bar of California and the American Bar; Discipline of lawyers, duties of lawyers to courts and clients; ethics of legal employment, solicitation of business; attorney's fees and the client. 1 unit.

215. **Equity.** Origin and nature of equity jurisdiction, jurisdiction in personam and in rem, extra-territorial effects of equity decrees, specific reparation for torts and specific and specific performance of contracts, injunctive relief, nature of so-called equitable defenses, bills of interpleader, bills to quiet title, mutuality of performance and remedy, equitable conversion, equitable servitude. 6 units (3-3).

216. **Sales.** Transfer of title to personal property; documents of title; conditional sales; risk of loss; express and implied warranties; statute of frauds; liability for defects of title, remedies of buyer and seller. 3 units.

ELECTIVES

301. **Federal Courts.** The federal Court system; basic jurisdictional requirements with particular emphasis on the Federal District Court; inter-relation of state and federal courts; federal rules of civil procedure, appellate procedure. 3 units.

302. **Insurance.** The concept of insurance, statutory regulations, insurable interests, construction and interpretation of life, property, accident and liability insurance contracts; warranties, representations, concealment; subrogation, warranty, estoppel. 3 units.

303. **Labor Law.** A survey of the development of the Labor movements in the United States; development of the common law; laws relating to union organizations, recognition, collective bargaining; wages and hours legislation; strikes, picketing, boycottes, lockouts, black listing; anti-injunction laws; labor and the anti-trust laws. 3 units.

304. **Domestic Relations.** Marriage, divorce, annulment, separation; alimony and property settlements; parent and child; guardianship, adoption, rights and liabilities of spouses. 3 units.
(Non-credit seminar for Catholic and interested student re handing of marital cases.)

305. **Security Transactions.** A study of the legal principles relating to the use of mortgage, deed of trust, pledges, lien, chattel mortgage, conditional sale and the trust receipt; nature of the interest; rights of redemption, discharge, subrogation, exoneration. 3 hours.

308. **Trade Regulations.** Contracts and combinations in restraint of trade; unfair competition; anti-trust laws; regulation of methods of competition; trade marks, trade names and unfair competition; governmental regulation of misrepresentation and pricing practices. 3 units.

309. Criminal Procedure. A study of the procedural aspects of a criminal trial. Administration of criminal justice, with reference to the rights of criminal defendants under State and Federal laws. 3 units.

310. Administrative Law. Creation and functions of administrative tribunals, state and federal; procedures and practices before such agencies with particular emphasis on Federal and State administrative and procedural acts. Judicial review of administrative action. 3 units.

311. Estate Planning: A practical course in lifetime and testimentary planning for the ordering and distribution of the client's property in a manner designed to achieve his legitimate objectives, avoid estate shrinkage through lack of liquidity, and avoid unnecessary taxes. The course consists of lectures and problems in planning and drafting. 3 units.

306. Municipal Corporation. An introduction to local government, city and county ordinances, local administrative procedure; an introduction to public law generally, the place of legislation in the legal order, organization and function of the legislature, legislative research, drafting and interpretation of statutes. 3 units.